

EDUCATION MATTERS

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Janus, Yohn and the Battle for Teacher Freedom

By Larry Sand

Two lawsuits could put a major crimp in union business-as-usual.

The teacher freedom movement is back in play. On February 26th, the U.S. Supreme Court heard oral argument in the *Janus v. AFSCME* case. Mark Janus, a child support specialist who works for the Illinois Department of Healthcare and Family Services, is compelled to send part of his paycheck to the American Federation of State, County and Municipal Employees. Janus, who was represented by the Liberty Justice Center and National Right to Work Foundation, says, “When I was hired by the state of Illinois, no one asked if I wanted a union to represent me. I only found out the union was involved when money for the union started coming out of my paychecks.”



The lawsuit is a sequel to *Friedrichs v. CTA*, which was headed to a SCOTUS victory in 2016, but Antonin Scalia's death short-circuited the case. However, right-to-work proponents are optimistic that his replacement, Neil Gorsuch, will come down as the fifth vote on the side of employee freedom. As things stand now, public employees in twenty-two states are forced to pay dues to a union as a condition of employment.

Obviously, a favorable ruling in *Janus* would put a serious dent in the coffers of government unions.

And they are not reacting well to that possibility. In a press release issued last September by several union leaders after the *Janus* announcement, many of the comments were simply outrageous. As Mike Antonucci of Education Intelligence Agency points out, the words "working people" are used twelve times. The union leaders seem to think that "working people" are a monolith with the exact same ideas, beliefs, and general worldview. Just a few of the distortions:

This case is yet another example of corporate interests using their power and influence to launch a political attack on working people and rig the rules of the economy in their own favor.

...corporations, wealthy interests and politicians have manufactured Janus as part of their long and coordinated war against unions.

Their goal here, as it was in Friedrichs v. CTA, is no secret: they want to use the Supreme

Court to take away the freedom of working people to join together in strong unions.

In the six months since the September press release, the propaganda barrage from the unions has been relentless. The predominant message is that evil, rich corporate cabalists have banded together to outlaw labor unions. Of course, the case is simply about giving workers a choice whether to join a union as a condition of employment. Period.

In addition to making outrageous and unsupportable comments about *Janus*, the unions are taking action. In California, Assembly Bill 119 was signed into law in late June and is summed up here: "[T]he ability of an exclusive representative to communicate with the public employees it represents is necessary to ensure the effectiveness of state labor relations statutes, and the exclusive representative cannot properly discharge its legal obligations unless it is able to meaningfully communicate through cost-effective and efficient means with the public employees on whose behalf it acts."

In other words, the unions want exclusive time with new employees so that they can push their agenda on them. But what if a nonunion organization that offers many of the same benefits, like the Association of American Educators, wants similar access to teachers? Will this law cover them?



Not a chance. No “competing” group can be accorded that privilege, as the union has been anointed an “exclusive representative” by the very legislators they helped seat in Sacramento.

A particularly creepy part of the new law stipulates that the employer must give the union the “name, job title, department, work location, work, home, and personal cellular telephone numbers, personal email addresses on file with the employer, and home address of any newly hired employee within 30 days of the date of hire.”

The mechanism of delivery—when, where, how, etc.—for the union spiel has to be worked out by each union local and the employer. If terms can’t be resolved, an arbitrator will be called in, the costs of which would be shared by both parties.

Had the unions decided to sell themselves by holding a voluntary meeting at the union hall after work hours or on a weekend, no one would blink. But in typical union bullying style, they drag the government into the sessions and force employees to attend. Again, we see the extent of the unions’ collusion with the California state legislature.

In the Gopher State, the Center for the American Experiment has unearthed a disgraceful move by the National Education Association state affiliate, Education Minnesota. Anticipating an unfavorable *Janus* decision, the union has come up with a new form that includes the following wording:

I agree to submit dues to Education Minnesota and hereby request and voluntarily authorize my employer to deduct from my wages an amount equal to the regular monthly dues uniformly applicable to

“Yohn argues that not only are compulsory union dues a violation of his First Amendment rights, but the complicated opt-out regime unconstitutionally burdens those rights as well.”

members of Education Minnesota or monthly service fee, and further that such amount so deducted be sent to such local union for and on my behalf. This authorization shall remain in effect and shall be automatically renewed from year to year, irrespective of my membership in the union, unless I revoke it by submitting written notice to both my employer and the local union during the seven-day period that begins on September 24 and ends on September 30.

In other words, saying, “Good-by, sayonara, no thanks” to the union once isn’t good enough. You have to do it every year and within a very narrow time frame. Imagine a woman who finally gets a divorce after being stuck for years in an unhappy marriage being told “Okay, but you have to notify the court every year that you want to stay divorced. And if you miss the seven day opt-out period, you’re stuck with your ex for another year.”

And it’s not only Minnesota. The United Teachers of Los Angeles, New York State United Teachers, and other unions have unleashed contracts on their members to ensure that dues money keeps flowing.

As a way to prevent Education Minnesota-like actions, there is a follow-up case to *Janus*. *Yohn v. CTA* was filed in federal court in February by the Center for Individual Rights—the same outfit that brought the *Friedrichs v. CTA* case—and

takes *Janus* one step further.

AAE member Ryan Yohn, lead plaintiff in the case, has taught history in California for thirteen years. As a nonunion member, he must go through California’s cumbersome opt-out process every year within a narrow time frame to receive a refund for the political portion of his dues. *Yohn* argues that not only are compulsory union dues a violation of his First Amendment rights, but the complicated opt-out regime unconstitutionally burdens those rights as well. And with public employee unions on the defensive, the opt-out processes could become even more arcane and unwieldy than Minnesota’s.

Should *Janus* succeed in eliminating forced dues payments by public employees, *Yohn* will finish the job by removing the burdens left in place on a worker’s freedom of association. If both cases are successful, public employee unions will still be free to recruit new members and collectively bargain for them. But employees like Ryan Yohn and Mark Janus will be free to join...or not.

It’s about time. ■



Larry Sand, a former classroom teacher, is the president of the nonprofit California Teachers Empowerment Network—a nonpartisan, nonpolitical group dedicated to providing

teachers and the general public with reliable and balanced information about professional affiliations and positions on educational issues.

AAE at the Supreme Court: *Janus v. AFSCME* Oral Argument Day

Immediately outnumbered and with the weather more than a handful of degrees below the mild 55-degree high that had been earlier predicted, our brave supporters concentrated on the right side of the square below the steps where a podium was erected and “Stand with Mark!” signs were being distributed. Only a few feet away from us were the doors leading in to where the highest court in the country was hearing the case of Mark Janus, a public servant who wishes only to exercise his freedom of association rights by ending the collection of agency fees. AAE’s long commitment to freedom of association required us to stand in support of Mark’s case on behalf of all educators.

Our team had been alerted that agency shop defenders had amassed on the sidewalk and our rally was certain to be swarmed. In no time our portion of the public arena was encroached upon by those determined to undermine our rally by standing in our way, blocking our signs with theirs, shouting over our speakers, and generally disrupting our event. More than a few times our speakers challenged the opponents to listen to speakers rather than shout them down. As you’d expect, our staff and members comported themselves incredibly well, as did the rest on our side of the issue.

The behavior of the union supporters only served to illustrate why Mark’s case is necessary and why we should support freedom of association rights for all: for Mark Janus, for you, for all public employees, and, yes, even for those hecklers.

I think it is worth noting that other than some foul language from a few and the typical booing and heckling, it was a peaceful demonstration of two different perspectives. Perhaps that is a low bar to set, the absence of heated exchange or violence, but I was relieved when we were all able to walk away invigorated rather than dispirited had things gotten out of hand. Regardless of the issue or the outcome, we witnessed and demonstrated rights for which many have sacrificed to preserve.

Our side cheered as Mark Janus and his legal team entered the court. Others already inside included Randi Weingarten, president of the American Federation of Teachers, and Secretary of Education Betsy DeVos—likely not seated together.



Numerous speakers were outside. I counted at least seven current or former AAE members who spoke. The AAE members who spoke included three plaintiffs in our *Yohn v. CTA* lawsuit and one who was a plaintiff in the *Friedrichs v. CTA* lawsuit (also a recent classroom grant winner!). Those seven were in addition to the other AAE members who attended but weren’t speaking at the podium and other educators who spoke in support of Mark Janus.

AAE’s members were well-spoken, level-headed, professional, and cheerful—the very embodiment of professionalism.

When it was my turn to speak, I opened with something I was bothered hadn’t yet been addressed: I asked the crowd to unite in a show of support for the numerous police officers braving the same chilly air to ensure our safety and a peaceful demonstration. An unexpected highlight of my day was when the red-haired police corporal from Virginia who, although trying to look stoic (see in the background of my photo), couldn’t contain a big toothy smile at the boisterous cheer from the crowd.

“Regardless of the issue or the outcome, we witnessed and demonstrated rights for which many have sacrificed to preserve.”

I encouraged the hecklers in the crowd to listen since I would say a few things on which they might agree with me. I introduced myself and this great organization, and noted that many of the teachers who spoke from the podium are our members. I reminded the union members in the crowd that although we’re outside for Mark Janus today, who wants the freedom to not support a union, we also support *their* freedom to *choose* to join and support a union. I reminded our proud-but-now-overrun crowd of supporters that the vast majority of our supporters couldn’t be with us because they were at work: teaching children, solving problems, serving their communities. They are doing jobs they love and want the right to do so without being forced to pay a union. We are here supporting Mark Janus, and here for them, too, since they can’t be.

I shared with the crowd that tens of thousands of AAE members from all across the country support Mark’s case, hundreds of thousands of nonunion teachers support Mark’s case, and millions of public employees will benefit from Mark’s case. If I had won any union folks over before—and I hadn’t—I certainly would have lost them on that!

I closed with a brief history lesson by asking the crowd who sits atop the U.S. Capitol dome, which is directly across the street from the Supreme Court. After some prodding (and a wave of creative but incorrect guesses), one of our supporters answered correctly, “Freedom!” I asked if anyone knew when that statue was raised. The answer was 1863, and I asked rhetorically why that year is significant. At the time our country was the most divided, at the middle of the Civil War, our nation didn’t put a military general or a president or a cannon on top of the Capitol, but a statue of Freedom Triumphant, a symbol of freedom for all of them and all of us here demonstrating, and to those inside the court fighting to extend the basic freedom of association to all public employees.

Whether anyone was listening, we’ll never really know, but I did appreciate the opportunity to point out to Ryan Yohn and Bruce Aster and Darren Miller, our members

and three plaintiffs in our *Yohn v. CTA* lawsuit, that, come this time next year, we may all be inside the court and it is mighty nice to know there is a crowd out front pronouncing our names correctly and championing our cause. And if not, I can always become a tour guide.

The speeches eventually wrapped up and we received a report from Mark’s attorneys that they believed the oral arguments were very favorable.

The next morning, with reports of *Janus* on the front pages of the newspapers, AAE’s Founder Gary Beckner and I were at the attorneys’ offices in D.C. sitting with journalists alongside our three remarkable member-plaintiffs, discussing *Yohn v. CTA*, a case already being touted as “Janus 2.0.”

No one can say for sure if our case will end at the United States Supreme Court, but if it does, we’ll be grateful for those brave souls out front rallying for teacher freedom. ■



Colin Sharkey is the Executive Vice President of the Association of American Educators.



Are you or someone you know interested in joining the AAE family?



Visit aaeteachers.org/membership to find out why more and more educators are making the nonunion choice with AAE membership.

Congratulations AAE Scholarship & Grant Winners



We are pleased to announce AAE's National Teacher Scholarship and Classroom Grant award winners for spring 2018. These educators embody our core values with their dedication to the field and innovative initiatives. As always, we had so many excellent applications and we wish we could award them all!

THE WINNERS FOR AAE'S NATIONAL COMPETITION

Jason Anderson

Archbishop Hoban High School, OH

GayLynn Ash

Indian Valley Vocational Center, IL

Bonni Billings

Holley-Navarre Primary, FL

Stephanie Cramer

Dual Immersion Academy, UT

Elisabeth Huber

Ogden High School, UT

Melinda Mauter

Charles R. Drew Charter School, GA

Lorna Maxwell

White Oak Elementary, CA

Maria Plitt

Eastport Elementary School, NY

Dan Schoessler

Benson West Elementary, NE

Jessica Suri

Whispering Wind Academy, AZ

Angie Vega

Uplift California Santa Barbara, CA

Jillian Welch

Kate Smith Elementary School, NV

Brittany Winnie

Helen Herr Elementary School, NV

Brenna Wyatt

Richmond County 9th Grade Academy, NC



The Association of American Educators Foundation is committed to offering individual educators various avenues for improving their effectiveness and student outcomes. The teacher scholarships provide teachers with funding to pursue additional teacher trainings, attend workshops, or specialized conferences. The classroom grants are offered to educators to supplement the costs of student-focused projects or activities. Both awards are available to all educators, regardless of location, school, or membership status.

Congratulations, educators! Thanks to all who applied but were not selected to receive a scholarship or grant at this time. We invite all educators to apply again in the fall. ■

SCHOLARSHIP & GRANT APPLICATIONS DUE OCTOBER 1!

- The AAE Foundation's National Teacher Scholarships and Classroom Grants competition is held twice a year in the fall and spring. Its purpose is to help teachers just like these. The deadlines are March 1 and October 1 of every year. For more information, visit aaeteachers.org/awards.

The 'Oscar Winners' of Teaching Share Their Secrets for Success

For more than three decades, the Milken Family Foundation has recognized excellence in teaching, leadership, and student engagement with an award that's become known as the "Oscars of Teaching." The foundation, along with panelists chosen by state departments of education, annually selects several dozen early- to mid-career educators across the country as recipients of the Milken Educator Award—which comes with recognition in a surprise ceremony at each educator's school, a \$25,000 prize, and professional development opportunities. The honor will be given to forty-four teachers and principals during the 2017-18 school year, with thirty-one award doled out as of this week.

For the second year in a row, we asked the latest crop of Milken Educators about their secrets for success in the classroom. This year, we wanted to know the words of wisdom that have made a difference to the 2017-18 winners, and reached out by email with the following question: What's the best teaching advice you've ever been given?

Many of the educators said guidance around building relationships with students sticks with them the most, as being attuned to the challenges and successes in students' lives is just as important as academics and classroom experimentation.

Here's what the awardees had to say:

Aaron Ferguson, director and teacher, Pacifica High School's Academy of Business, Garden Grove, CA


"The best teaching advice I've ever heard came from my education professor Mike McCambridge at California Lutheran University: Don't just know your students; love and treat your students as people. They each have their own stories and situations, and it is the responsibility of teachers to put in the time and effort to learn about each of their students."



Boxie, 6th grade math teacher, Edgar Martin Middle School, Lafayette, LA

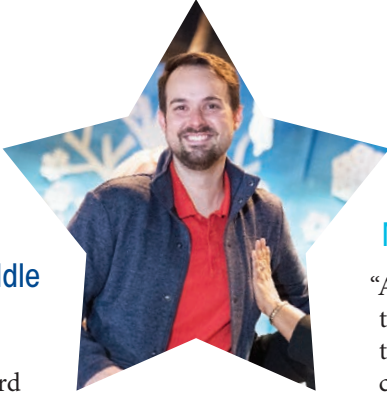
"Gain a rapport with students. This advice was given to me by my mother, who is now a retired teacher of thirty-seven years. This advice has been helpful in my career and has ensured successful behaviors in my classroom. I show students I not only care about their academic success but also am concerned about their personal well-being. By showing interest in their lives, students feel accepted in the classroom. Once this has taken place, students are more willing to reach goals that have been set."






Dale J. Adamson,
8th grade leader,
algebra teacher,
and STEM coordinator,
Howard D. McMillan Middle
School, Miami, FL


“Failure is the first step toward success. Just as we encourage students to take academic risks, educators must take professional risks to grow. If you find your classroom getting stagnant, never be afraid to try something new. It doesn’t always go exactly as planned, but you will never know how effective a new lesson or strategy will be until you try it with students. This advice has helped me immensely with student engagement and achievement. The unpredictability of my classroom keeps students excited, engaged, and ready to learn.”



Dan Adler, 6th grade science teacher, UP Academy Leonard, Lawrence, MA




“Good teachers reflect constantly. There is always something new to try in the classroom and with scholars. Sometimes you succeed, and sometimes...you don’t. Remember what worked. Write it down, hang onto it, incorporate it into your teaching toolkit, use it in the service of kids and learning. Take what didn’t work, and be brave enough to think about why, and how you can adjust it moving forward.”




Debreon Davis,
principal, Edmond North
High School, Edmond, OK


“Change only moves at the speed of relationships. As educators, we all want to have a meaningful impact on our students’ lives, and this must begin with us taking the time to build relationships. When our actions show we are invested in the lives of our students, their families, and the culture of our school, all other outcomes fall in line. We all work harder and push ourselves out of comfort zones when we feel valued and known. We must prioritize knowing our students to learn how to best serve them.”




Heidi Albin,
science teacher,
Complete High School
Maize, Maize, KS





“Academics aren’t the most important things we teach. It is essential that we teach life, well-being, wisdom, and character. Academic subjects are simply the conduit through which we teach what matters most. I began applying for therapy dogs and for grants to fund the project after asking students what would make our school better. The unanimous response was a dog! Kinsey’s presence has had a significant impact on the students and staff. She has helped prevent anxiety attacks and emotional breakdowns, and when they do occur, they are much less severe.”




Jennifer Fuller, 11th grade English teacher, Arlington Collegiate High School, Arlington, TX




“The best advice I’ve been given as a teacher is to remember that forming strong relationships with students is what truly makes a classroom successful. Once students know that you love them and really believe in them, they will be unstoppable. Every student needs someone who truly believes in them, but some take more convincing than others that you are truly in their corner. It’s worth taking as much time as it takes to convince each child that you are that person.”



Jordan McGaughey, 10th grade American history teacher and instructional support specialist, Seckman High School, Imperial, MO



“The best piece of advice I’ve ever been given by a mentor teacher is to always center planning and instruction around what is best for students. Any lesson or activity that allows students to engage more deeply and understand content more personally is the lesson or activity that teachers should implement in classrooms.”



Katherine Watkins,
11th and 12th grade
English teacher,
Millington Central
High School,
Millington, TN

“I have learned through trial and error that I can maximize and safeguard the time and energy I give to my students by establishing strict boundaries regarding the hours of the day I reserve for myself. Without disciplined routines for self-care/self-preservation (i.e., making time for exercise, proper nutrition, sleep, family, and recreation), quality instruction would be unsustainable, though it can often feel like the work we’ve been tasked with requires superhuman effort and commitment, the only way to avoid burnout is to acknowledge your own limitations and manage your time in ways that promote balance and well-being.”



Ryan James, 8th grade civics
teacher, Lucille Brown Middle
School, Richmond, VA

“A piece of advice that was given to me from Mr. Britt, a former assistant superintendent: He said to remain my unique self in the classroom and to build as many relationships as possible with students and colleagues.”



Theresa Cross, instructional coach, Alice M.
Harte Charter School, New Orleans, LA

“The best teaching advice I received was from Trenise Duvernay, who asked me to write down the name of my favorite teacher, explain why he or she was my favorite, and then replicate the qualities of this teacher in my own instruction. I wrote down Mr. Iammarino—my high school physics teacher—because he strategically sequenced each unit to build skills along with conceptual understanding and assessed our understanding with a real-life experiment as well as a test. Every skill he taught us had to be applied to a real-life task. Ever since that day, I have created a real-life project for each unit I teach, which has allowed my students to make connections between mathematical concepts and the world around them.” ■



Maria DeBruin, AP chemistry teacher,
Brick Memorial High School, Brick, NJ

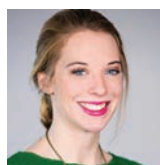
“Maya Angelou said, ‘I’ve learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel.’ So, be the teacher that isn’t afraid to go off topic to learn more about your students. Be the teacher that attends your students’ after-school activities. Be the teacher

that purposely goes to your student’s check-out lane at the grocery store. Be the teacher that writes a handwritten note of encouragement when a student is sad. Be the teacher that isn’t afraid to love, because when you do, you will find that you and your students will succeed in the classroom.”



The responses have been edited for clarity.

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Kate Stoltzfus is a writer for Education Week. This article originally appeared in Education Week on January 5, 2018.

Rethinking Grade Levels and School Design for Personalized Learning

A Chicago school's openness to multiage classrooms gives both students and teachers extra choice and support

At the end of the first-floor hallway in the West Belden campus of the Chicago International Charter School network, across two connected rooms that used to be a library, almost sixty children spread out on pillows, bouncy chairs, rocking chairs, and benches. In the morning's reading lesson, most of them worked on their own iPads, moving through Lexia Reading modules or researching famous figures on sites like YouTube. One of the two classroom teachers worked with a small group, going over the biography of Martin Luther King, Jr., asking questions about where students had found certain facts and how they knew they could trust them. The other classroom teacher spoke one-on-one with students, simultaneously monitoring the large group of independent workers.

The classroom is unique in CICS West Belden in its mix of third- and fourth-graders, who spend every day together. Their teachers technically specialize in one grade—Christina Hanna in fourth grade and Kelly Pollack in third—but they consider all the students theirs, and flexible groupings mean students can get support above or below their actual grade level as necessary. Parents can ask questions of either teacher, and students have bought into the idea that this multiage classroom is one community.

Nontraditional classroom arrangements like this are one way that

CICS West Belden, managed by Distinctive Schools, does personalized learning.

"We've learned that every learner is completely different," Hanna said. "The new personalized approach hits that difference."

"Personalized learning," an amorphous term that means different things to different people, generally refers to a more customized learning experience for students, based on their strengths, weaknesses, and interests. Students are given the space to move through content more flexibly, at their own pace, often aided by technology—like the Lexia Reading software the West Belden students used on their iPads.

Nontraditional grade groupings are another way to address students' individual learning needs. West Belden experimented with a first- through third-grade multiage classroom (which it no longer has), and its middle school is split this year into one departmental team for fifth and sixth graders and another for seventh and eighth graders. Throughout the day, these students see four different teachers on their respective teams.

The school structure changes almost every year, prompted by the desires of teachers and the recognized needs of students. In discussing plans for this year, Colleen Collins, the school director, said she had asked teachers to

brainstorm how they could offer the best experience to the incoming fifth and sixth graders. The plan emerged from there.

"We'll look at data to see if we have the successes and celebrations that we're hoping to see based on our structure this year," Collins said. The school looks at student growth data from standardized tests and considers what teachers believe will work best for a specific group of students.

In Hanna's and Pollack's case, they pitched the multiage classroom after having worked with those students in separate classrooms the year before. For two hours each day, they had combined their second- and third-grade classes, and noticed their students absorbing much more information than they did when the grade levels were separate.

This year, they change the student groupings frequently as they monitor test scores and conduct formal and informal observations. Sometimes the data say a student should be in one group, but Hanna or Pollack notice the child isn't thriving, so they switch up things.

"We want them to be confident and comfortable," Pollack said. "And then push them to the next level from there."

Besides offering more tailored learning experiences for students, the flexible, ever-changing structure in West Belden gives teachers a

sense of choice and empowerment. Pollack and Hanna said teacher morale is high and there is a strong conviction in the power of the personalized learning model.

“We have support, we’re collaborating,” Pollack said. “A lot of that has to do

with the belief that this is what it’s going to take. We’re all committed.” ■

This story was produced by The Hechinger Report, a nonprofit, independent news organization focused on inequality and innovation in education.



Tara Garcia Mathewson is a staff writer for The Hechinger Report. She received the Marguerite Casey Foundation’s Equal Voice Journalism Fellowship in 2014 and the Education Writers Association Reporting Fellowship in 2017.

AAE’s Legal Corner: Discrimination



You work hard, put in long hours, your students and parents love you. Your administrator...does not. He/she makes it difficult at times for you to do your job. You are not offered resources provided to other teachers, consistently receive unfair and negative evaluations, and genuinely feel as if nothing you do is good enough. What could be the cause?

Sometimes someone may simply dislike you and that is okay. We do not all have to get along, just work together professionally. But what about those situations when more is going on? An offhand comment about your age, appearance, or religion?

Unfortunately discrimination still exists. If you think that is the basis for the treatment you are receiving, you should take action.

Your first step is to try to resolve things internally. Contact your HR/personnel department and ask for a meeting with them and your administrator. During the meeting, be honest. Explain that you feel as if you are being discriminated against. Present documents that support your contention. This could include positive feedback from parents, students, or visiting evaluators compared to those given by your administration. Be prepared to share specific examples of instances in which you felt you were being treated differently or unfairly.

At the conclusion of your meeting, HR should conduct an investigation into your concerns. This oftentimes resolves the matter and you can move on with your career.

However, there are times when the mistreatment of you continues or even escalates and HR offers no solutions. In those situations, contact the Equal Employment Opportunity Commission (EEOC). The EEOC is the

federal agency that oversees and investigates claims of discrimination in the workplace. Many states also have a counterpart agency but first contacting the EEOC can help protect your rights. The EEOC accepts online complaints or claim submissions. You can go to www.eeoc.gov and follow the steps to submit a claim.

The EEOC will next schedule a time to meet with you and reduce the claim form you filled out to a 1- to 2-page sheet entitled Charge of Discrimination. That Charge is then served on the school district, which will be given a certain amount of time to respond.

You may be asked to participate in mediation at some point and the EEOC will conduct an investigation into your concerns. Because of a backlog of claims, the EEOC investigatory process could take several years.

At the conclusion of the investigation, the EEOC will issue findings that either indicates “cause” or evidence was found that supports your claim or that no such evidence was found. You will be issued a document called a “Right to Sue” letter, which gives you permission to take your claim to the lawsuit stage. You must do so within ninety (90) days of receipt of the letter so be sure to have an attorney lined up and retained as soon as you are able.

As a member of AAE, please contact the legal services department for guidance as you pursue this remedy. ■



Sharon Nelson is the director of legal services for the Association of American Educators. In this capacity, Ms. Nelson oversees AAE’s extensive legal teams across the country and works daily with members and panel counsel to address members’ legal concerns. A passionate advocate for educators, Ms. Nelson has been a lawyer focusing on employee rights issues for nearly twenty years.

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